

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANIEL JERIMIAH SIMMS,

Plaintiff,

Case No. C23-5068-MJP

V.

MICHAEL HATHAWAY, et al.,

Defendants.

**ORDER DISMISSING CIVIL RIGHTS
ACTION**

The Court, having reviewed Plaintiff's complaint, Plaintiff's motion to dismiss this

action, the Report and Recommendation of the Honorable S. Kate Vaughan, United States

Magistrate Judge, any objections thereto, and the remaining record, hereby finds and ORDERS:

(1) The Report and Recommendation is approved and adopted.

(2) Plaintiff's motion to dismiss (Dkt. 21) is GRANTED, and Plaintiff's complaint
(5) and this action are DISMISSED without prejudice.

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**ORDER DISMISSING CIVIL
RIGHTS ACTION - 1**

1 (3) The Clerk is directed to send copies of this Order to Plaintiff, to counsel for
2 Defendants, and to Judge Vaughan.

3 DATED this 22nd day of August, 2023.

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7 MARSHA J. PECHMAN
8 United States Senior District Judge
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